IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

Tr.P(C).No. 245 of 2007

M.C.208/2007 OF FAMILY COURT, KASARAGOD.
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PETITIONER:

PUNNAN PHILIP P., AGED 30 YEARS,
S/O LATE PHILIP P.MATHEW, PUSHPAMANGALAM,
OPPOSITE TELEPHONE EXCHANGE, M.K.K.NAIR ROAD,
PALARIVATTOM, KOCHI-25.

BY ADV. SRI.S.SREEKUMAR.

RESPONDENT:

NITHYA JACOB, AGED 23 YEARS,
D/O JACOB ABRAHAM, KADAKETH HOUSE,
MOOLAPPALLY, NEELESWARAM P.O.,
KASARGOD DISTRICT.

BY

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J

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Tr.P.(C) No.245 OF 2007

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Dated this the 12th day of November 2007

JUDGMENT

This transfer petition is filed seeking for a transfer of the maintenance case, M.C.No.208 of 2007 pending before the Family Court, Kasargod to Family Court, Ernakulam. A perusal of the entire records available in the transfer petition itself would reveal that the husband was an incapacitated man having lot of ailments and according to him he disclosed everything to the wife and married. But, according to him, later it turned to be a failure on account of the demand for money and no concern for the person. The husband has moved an application for divorce and the wife has filed an application for declaration of the marriage as void and both the cases are pending before the Family Court, Ernakulam. Meanwhile the wife has filed a maintenance case before the Family Court, Kasargod.

2. The main proceedings, which will have all the relevance are pending before the Family Court, Ernakulam and considering the physical ailments suffered by the husband, I feel this is a fit case where M.C.No.208 of 2007 pending before the Family Court, Kasargod has to be transferred to

the Family Court, Ernakulam for trial and disposal along with O.P.Nos.1167/2007 and 1285/2007.

Thus transfer petition is allowed. As I am disposing of the matter at the admission stage itself, the Family Court, Kasargod may intimate the petitioner in M.C.No.208/2007 regarding the factum of transfer.

M.N.KRISHNAN, JUDGE

Cdp/-